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REMARKS

Claims 1-24, 27-47, and 49-52 are pending in the application.

Claims 1-24, 27-42, 46, 47, and 49-52 are original.

Claims 43-45 were previously amended.

Claims 25, 26, and 48 were previously cancelled.

Claims 1-24, 27-47, and 49-52 are directed to compounds that are fused pyrimidinone derivatives, pharmaceutical compositions comprising the compounds, and methods of using the compounds.

Applicants note that in the Office Action, the Examiner recited Claim 48 as pending in the application. Applicants' respectfully point out that Claim 48 was cancelled in the Amendment and Response Under 37 C.F.R. § 1.111 and Supplemental Information Disclosure Statement, dated September 11, 2003. Accordingly, Applicants' believe that Claims 1-24, 27-47, and 49-52 are all of the claims pending in the application.

Election/Restrictions

The Examiner has alleged that a restriction to one of Group I-VII is required under 35 U.S.C. § 121. Applicants elect with traverse the invention of Group IV: "Claims 1-3, 6-10, 13-22, 41-43, 46, and 47, drawn to compounds of formula I with W and its attached carbons forming a substituted 5-membered ring with only 1 sulfur atom in the ring (i.e., a substituted thieno), or compounds of formulae II, and III; also pharmaceutical composition thereof. [C]lassified in classes 514, 544, 549, various subclasses depending on substituents."

The current restriction places all methods of treating claims in Group VII. Applicants respectfully request that if at least one compound claim of the elected

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invention is found patentable, the Examiner consider claims to at least one method of treating using the patentable compounds. Methods of treating using the patentable compounds would likely be patentable also. Applicants believe that this would not be an undue burden on the Examiner because a search of the art for examination of the compounds would likely also be useful for examination of the method of treating.

Conclusion

In view of Applicants' election disclosed above, Applicants' believe that a reply to the instant restriction requirement is complete. Applicants respectfully request the Examiner to consider the claims of the elected invention and at least one method of treating claim.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to deposit account number 23-0455.

The undersigned would welcome a telephone call from the Examiner to discuss any matters related to this case that the Examiner thinks are amenable to resolution by such discussion.

Respectfully submitted,

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